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JS-6

7 UNITED STATES DISTRICT COURT
8 CENTRAL DISTRICT OF CALIFORNIA

9
10 BOARD OF TRUSTEES OF THE
11 SHEET METAL WORKERS' PENSION
12 PLAN OF SOUTHERN CALIFORNIA,
13 ARIZONA AND NEVADA; BOARD OF
14 TRUSTEES OF THE SHEET METAL
15 WORKERS' HEALTH PLAN OF
16 SOUTHERN CALIFORNIA, ARIZONA
17 AND NEVADA; BOARD OF
18 TRUSTEES OF THE SOUTHERN
19 CALIFORNIA SHEET METAL JOINT
20 APPRENTICESHIP AND TRAINING
21 COMMITTEE; BOARD OF TRUSTEES
22 OF THE SHEET METAL WORKERS'
LOCAL 105 RETIREE HEALTH PLAN;
BOARD OF TRUSTEES OF THE
SOUTHERN CALIFORNIA SHEET
METAL WORKERS' 401(A) PLAN;
SHEET METAL WORKERS'
INTERNATIONAL ASSOCIATION,
LOCAL UNION NO. 105 UNION DUES
CHECK-OFF AND DEFERRED
SAVINGS FUND; AND BOARD OF
TRUSTEES OF THE SHEET METAL
INDUSTRY FUND OF ORANGE
EMPIRE,

23 Plaintiffs,

24 v.

25 INDEPENDENT AIR GROUP, INC.;
26 RICHARD DON JUAN AGUILERA;
CONNIE GASTELUM AGUILERA,
individuals,

27 Defendants.
28

Case No. 12-cv-4544-MMM (MANx)

~~PROPOSED~~ ORDER ON
STIPULATION FOR JUDGMENT

1 Pursuant to the Stipulation by and between Plaintiffs Board of Trustees of the
2 Sheet Metal Workers' Pension Plan of Southern California, Arizona and Nevada;
3 Board of Trustees of the Sheet Metal Workers' Health Plan of Southern California,
4 Arizona and Nevada; Board of Trustees of the Sheet Metal Workers' Savings Plan of
5 Southern California; Board of Trustees of the Southern California Sheet Metal Joint
6 Apprenticeship and Training Committee; Board of Trustees of the Sheet Metal
7 Workers' Local 105 Retiree Health Plan; Board of Trustees of the Southern
8 California Sheet Metal Workers' 401(a) Plan; Sheet Metal Workers' International
9 Association, Local Union 105 Dues Check Off and Deferred Savings Fund; and
10 Board of Trustees of the Sheet Metal Industry Fund of Orange Empire (collectively,
11 the "Plans" or the "Trust Funds"), and defendants, Richard Don Juan Aguilera and
12 Connie Gastelum Aguilera (collectively "Individual Defendants") and Independent Air
13 Group, Inc. ("Company"), the Court has considered the matter fully and concluded
14 that good cause exists to approve the parties' Stipulation in its entirety.

15 Accordingly, **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** as
16 follows:

17 1. That the Company and the Individual Defendants are indebted to the
18 Plans in the total amount of \$79,849.14 broken down as follows: contributions in the
19 amount of \$8,415.93 for the work month of February 2012; contributions pursuant to
20 an audit in the amount of \$14,913.77 for the audit period work months of September
21 2005 through December 2009; \$2,982.75 in liquidated damages accrued pursuant to
22 the audit discrepancy; \$43,703.72 in late filing fees (\$11,045.77) and accrued
23 liquidated damages (\$32,657.95) for all delinquent work months through February
24 2012; interest in the amount of \$2,332.97, and attorney's fees in the amount of
25 \$7,500.

26 2. Judgment is entered in favor of the Plans and against the Company and
27 Individual Defendant, jointly and severally, in the amount of \$79,849.14 for
28 delinquent employee benefit plan contributions pursuant to an audit, liquidated

1 damages accrued pursuant to the audit discrepancy, late filing fees and accrued
2 liquidated damages, interest, attorney fees and costs, together with post-judgment
3 interest thereon at the rate of 12% per annum as of the date of the Judgment.

4 3. This Court retains jurisdiction over this matter through July 31, 2013 to
5 enforce the terms of any judgment entered hereunder, to order appropriate injunctive
6 and equitable relief, to make appropriate orders of contempt, and to increase the
7 amount of judgment based upon additional sums owed to the Plans by Defendants.

8
9 **IT IS SO ORDERED.**

10
11 Dated: June 13, 2012



Margaret M. Morrow
Hon.